

CLAIM AMENDMENTS

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1..-10. (canceled)

1 11. (previously presented) A fencing system comprising
2 a plurality of pales, a rail and fasteners securing said pales to
3 said rail, each of said pales being generally tubular with a first
4 wall generally concave toward said rail and a second wall convex
5 away from said rail, said walls of each pale defining a space
6 between them, at least one of said fasteners extending into the
7 respective first wall of each pale and drawing the respective first
8 wall against said rail with at least partial flattening of the
9 respective first wall, said second walls being free from engagement
10 by said fasteners.

1 12. (previously presented) The fencing system defined
2 in claim 11 wherein said first wall defines a space between the
3 respective pale and said rail and each of said fasteners passes
4 through the respective space so as to draw the respective first
5 wall resiliently against said rail.

1 13. (previously presented) The fencing system defined
2 in claim 11 wherein each of said first walls has a flat central
3 portion where the respective fastener engages same.

1 14. (previously presented) The fencing system defined
2 in claim 11 wherein each of said first walls has a thickened
3 portion where the respective fastener engages same.

1 15. (previously presented) The fencing system defined
2 in claim 11 wherein each of said first walls has a thread engaging
3 in the respective hole.

4 16. (previously presented) The fencing system defined
5 in claim 11 wherein said walls adjoin at rounded regions abutting
6 said rail for each of said pales.

1 17. (previously presented) The fencing system defined
2 in claim 11 wherein each of said pales has a generally crescent
3 shape hollow cross section having rounded regions between said
4 walls and abutting said rail.

1 18. (previously presented) The fencing system defined
2 in claim 11 wherein each of said pales has longitudinal indenta-
3 tions inducing buckling of the pale when each pale is subject to a
4 predetermined force less than that required to break the respective
5 fasteners and detach the pale from the rail.

1 19. (canceled)